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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1995

Addendum

SURINAME

[13 February 1998]

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Introduction

1. In March 1993 the Convention on the Rights of the Child was ratified unconditionally and without any reservations by the Republic of Suriname, after the National Assembly had given its approval for the Government to do so. The ratification of the Convention creates national and international obligations for Suriname, for the Government considers this Convention as an expansion of its policy which is based on sustainable development in which human beings - and most certainly the children of Suriname - have a central position.

2. Before and after the ratification of the Convention on the Rights of the Child the Government of Suriname participated in different international and regional conferences on children. The most important of such conferences was the World Summit for Children in New York when the then President of Suriname committed himself to realize the goals laid down in the World Declaration on the Survival, Protection and Development of Children.

3. Although the Convention was ratified in 1993, it was not until January 1995 that the Government of Suriname installed a National Commission on the Rights of the Child, which was made responsible for the coordination of the implementation and monitoring of the Convention on the Rights of the Child in Suriname. This Commission was furthermore assigned the following two important tasks: to write the country report under article 44 of the Convention, and to draw up a National Plan of Action for Children in Suriname.

4. After extensive deliberations with all social sectors, the National Commission on the Rights of the Child completed the country report in September 1996 and submitted it to the Ministry of Social Affairs and Housing, the Ministry which is charged with the coordination of all matters concerning the Convention. In view of the manner in which the country report was drawn up, it can be said that national consensus was reached on the contents of this report. It is on the basis of the findings of this report, among other things, that a National Plan of Action is at present being drawn up, which will guarantee the survival, effective protection and sustainable development for the children of Suriname.

I. GENERAL MEASURES

A. Introduction

5. One of the characteristics of Surinamese society is the important role awarded to the care of children. This is demonstrated by the large number of non-governmental organizations involved in the care of children - besides and often in the place of government services. The economic crisis which started in the 1980s and reached a climax in 1994 and 1995 caused a dramatic change in the provisions of this care. To combat the crisis, the Venetiaan administration (1991-1996) commenced with the implementation of a structural adjustment programme, which had far-reaching negative consequences for the

most vulnerable groups in the country, including the children. The enormous brain drain in the health and education sectors has particularly undermined the situation of children. A joint approach in reply to innumerable, related problems is a precondition for the sustainable improvement of the circumstances of life for children in Suriname.

6. The following events are worth mentioning in regard to harmonizing national laws and policy with the provisions of the Convention on the Rights of the Child:

(a) Participation of the then President Ramsawak Shankar in the World Summit for Children in September 1990, during which the Declaration on the Survival, Protection and Development of Children and a Plan of Action directed towards the implementation of this declaration were approved;

(b) Ratification of the Convention on the Rights of the Child by President R. Venetiaan in March 1993;

(c) Installation of a National Commission on the Rights of the Child by the Minister of Social Affairs and Housing in January 1995;

(d) Proclamation of the year 1996 as the Year of Fighting Poverty;

(e) Approval by the Council of Ministers in February 1996 of a bill on the further amendment of the Surinamese Civil Code, in particular with respect to the removal of the difference between legitimate and natural children in the inheritance laws.

7. With these international and national actions, the Government of Suriname has officially committed itself to providing a better future for all children in the country and has thus accepted the challenge to achieve cohesive and purposeful government policy and actions.

8. When the National Commission on the Rights of the Child was appointed by the Minister of Social Affairs and Housing in January 1995, it was assigned manifold tasks, including the writing of the present country report and drawing up a National Plan of Action for Suriname, giving advice to the Government on children's rights, monitoring the situation of children in Suriname, and doing everything possible to make the Convention more widely known. One of the main constraints encountered by the Commission has been the lack of appropriate mechanisms for coordination of activities for the implementation of the Convention on the Rights of the Child in the country. These include: a lack of inter- and intra-ministerial coordination of children's and family matters, a lack of up-to-date data on the situation of children and women, weaknesses in the data-monitoring mechanisms. Within this context, the Commission therefore recommends that the Under-Minister in the Ministry of Social Affairs and Housing be made responsible for activities concerning child well-being, family welfare, and the overall implementation of the Convention in the country. This arrangement will promote synergy in the activities of the various sectors of the Government.

B. Legislation and policy

9. According to the Constitution, each child, without distinction, has the right to protection. Furthermore, the Constitution lays down that parents bear the same responsibility for their legitimate and natural children. The Constitution further states that minors shall enjoy special protection directed towards ensuring their enjoyment of economic, social and cultural rights.

10. In 1992, before the Convention on the Rights of Children was ratified, the Ministry of Justice and Police took the initiative to carry out a thorough study of the Surinamese legislation, aimed at identifying legislation which was in contravention of the Convention. The investigation showed that the greater part of the Surinamese legislation is in agreement with the Convention. The complete realization of children's rights in Suriname will therefore not require any great adjustments of the legislation. What is necessary, however, is a coherent and purposeful national policy aimed at the development of children and the implementation of regulations aimed at the protection and development of children.

11. Concerning provisions which are in contravention of the Convention, the following bills are ready for submission to the National Assembly:

(a) A bill on the further amendment of the Surinamese Civil Code for the removal of the difference between legitimate and natural children in inheritance laws;

(b) A bill on visitation rights of divorced parents;

(c) A bill on hearing minors during court proceedings which concern their personal interest;

(d) A bill on offences against public decency.

C. Measures to publicize the Convention

12. The National Commission on the Rights of the Child is at present conducting a publicity campaign which aims at making the Convention and its contents better known. This campaign comprises, among other things, printed material, including a logo, exhibitions, posters and a children's game; and audio-visual material, slogans, radio and television programmes, exhibitions of children's drawings and free expression, children's conferences.

13. The Foundation for Human Development has carried out promotional work for the Convention since its founding in 1989. Its activities have included a "children's day" on the fifth of each month. On these days, one of the rights laid down in the Convention is dealt with through newspaper articles, discussion days, television and radio programmes, or visits to schools. Another initiative to promote the Convention was to collaborate with one of the local radio stations (SRS) to broadcast a children's programme every Saturday morning, during which children would discuss the situation in Suriname and how it could be improved. This organization further organized three discussion days in the past two years which focused on children in

conflict with the law, adoption and separation from parents, and health. The first two were for adults, the last was for children. In a follow-up activity in September 1996, the Foundation for Human Development carried out a study among young delinquents in the detention centre of the Juvenile Affairs Department of the Police and in prisons on how the recommendations of the first discussion day were being carried out.

II. DEFINITION OF CHILD

A. Age of attainment of majority

14. Article 382 of the Surinamese Civil Code states that a minor is every person who is younger than 21 years of age and has never entered into marriage. Dissolution of marriage before one has reached the age of 21 does not mean, however, that the person concerned will again become a minor. In the law of Suriname, a distinction is made between a marriage according to civil law and one contracted under the Asian Marriage Act. In order to enter into a civil marriage, the male partner must be at least 18 years of age and the female partner at least 15 years of age. According to the Asian Marriage Act, the age limit for the male partner is 15 years and for the female partner 13 years. Parental consent is required for both male and female partners up to the age of 30 years to enter into marriage according to civil law. The age of voting is 18 years.

B. Compulsory school attendance

15. According to article 20 of the Compulsory School Attendance Act (Bulletin of Acts and Decrees 1960), parents or guardians have the obligation to have children between the ages of 7 and 12 years attend primary school on a regular basis, if the possibility for this exists.

C. Labour

16. The 1963 Labour Act (Bulletin of Acts and Decrees 1963, No. 163, amended by Bulletin 1983, No. 91) makes a distinction between youthful persons and children. Youthful persons are persons between the ages of 14 and 18 years. Children are persons younger than 14 years of age. This law forbids the performance of labour by children inside and outside an enterprise, irrespective of whether this takes place against payment of wages or an allowance.

D. Obligation to be heard in civil cases

17. As far as the law of civil procedure is concerned, the only obligation that children be heard is for adoption cases, and then only for children of 12 years and older (art. 677 c, para. 5 of the Code of Civil Procedure). In cases of complaints of the guardian concerning the behaviour of the minor, the judge is obliged to hear the minor (art. 44 of the Civil Code).

18. A child who has committed a criminal offence before he has become 10 years of age shall not be prosecuted (art. 56, para. 1, of the Code of Criminal Procedure). Minors between the ages of 10 and 16 years shall not

be sentenced to imprisonment (art. 56, para. 2, of the Code of Criminal Procedure). Minors between the ages of 16 and 18 years can be sentenced to imprisonment, provided that the main penalties laid down for criminal offences shall be decreased by one third. In case of a criminal offence for which capital punishment or life imprisonment can be pronounced, the maximum term of imprisonment to which a minor can be sentenced is 15 years.

E. Compulsory military service

19. According to the Compulsory Military Service Act (Bulletin of Acts and Decrees 1970, No. 98), persons who have reached the age of 18 years but who are not yet 35 years old are obliged to perform military service. This Act has been repealed; military service is no longer compulsory.

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

20. According to the Constitution, no one may be discriminated against on the basis of birth, sex, race, language, religion, descent, education, political opinion, economic position, or social or any other status. Furthermore, the Constitution lays down that minors must be provided with extra protection so that they can enjoy economic, social and cultural rights. These include: admission to education, culture and work; vocational training; physical education, sports and recreational activities. These provisions are reflected in the care and services provided in the fields of health and education for children from the time of their birth. Essential health care is provided for children and mothers.

21. In deviation from the principle laid down in the Constitution concerning non-discrimination, the inheritance laws make a distinction between legitimate and natural children. Natural children inherit - if the deceased person has left legitimate children or a spouse - one third of the part which they would have inherited if they had been legitimate. If the deceased does not leave any legitimate children or a spouse, but did have blood relatives in ascending line, or brothers and sisters or their descendants, natural children inherit half of the deceased's estate. Natural children inherit three fourths of the deceased's estate if there are only descendants in a further degree. Only if the deceased person has no legitimate descendants can natural children inherit the entire estate in accordance with article 893 of the Civil Code.
The natural child only has a family law relationship with the father who has acknowledged him/her and with his/her mother. There exists no family law relationship between the natural child and his grandparents and other blood relatives. A natural child cannot lay any claim to goods of blood relatives of his parents. In February 1996, the Council of Ministers approved the bill for the removal of the difference in the inheritance laws between legitimate and natural children. This amendment intends to realize the principle of non-discrimination as laid down in the Convention. This bill still has to pass the National Assembly.

B. The best interest of the child (art. 3)

22. The Constitution of Suriname provides that working women are entitled to paid maternity leave. Moreover, the State acknowledges the exceptional value of motherhood.

23. In Suriname there are no special courts which decree in cases of family law. There is no special juvenile court either. In general, a number of deputy members of the Court of Justice are charged with hearing family law cases. In criminal court, judges are charged with hearing juvenile cases for a certain period of time in rotation. Within the public prosecutions office there are three public prosecutors who handle the prosecution of juveniles. The lack of specially trained juvenile judges is regarded as a great constraint. Both the civil and criminal judges usually lack the specific skills and are often insufficiently informed on developments in the field of juvenile law.

24. The Ministry of Social Affairs and Housing is responsible for, among other things:

(a) The general welfare, more in particular the social care, of the aged, the physically and mentally disabled, and the youth, including the care of juveniles who have been placed under State supervision;

(b) The supervision of orphanages, boarding schools and similar social institutions.

Social care for juveniles by the Ministry is almost non-existent. The Ministry was operating two homes for children with behavioural problems, one for girls and one for boys. Owing to a lack of competent personnel, among other things, and a lack of finances, the home for girls has been closed.

25. In March 1996 the results of the preparatory work carried out by a group of organizations to draft a bill on child care in daycare centres and children's homes was presented to the Ministry.

26. Private organizations which run children's homes receive a government subvention for each child per month. This amount is not at all sufficient to provide for the care of the children in the homes. While there are no legal requirements in Suriname governing the supervision of these private institutions, in particular as regards safety, health, the number of required personnel and their capabilities, efforts are now being made to draft legislation.

C. Right to life, survival and development (art. 16)

27. Article 14 of the Constitution lays down that everyone has a right to life and this right is protected by law.

28. The unborn child is also protected in Suriname. According to the Civil Code an unborn child is regarded as having been born as soon as its interest is in question; this usually has to do with financial rights. For example, a guardian may be appointed for the unborn child if a woman declares herself to

be pregnant after the death of her husband (art. 400 of the Civil Code). An unborn child may be named as an heir (arts. 865 and 927), may be granted usufruct (art. 791) and may receive gifts (art. 1689).

29. Furthermore, according to the Code of Criminal Law, abortion is punishable. The interruption of the development of an unborn human life is considered as such a serious measure that it can only be accepted if the woman's life is endangered.

D. Respect for the views of the child (art. 12)

30. In cases concerning the authority over minors as laid down in Book I of the Civil Code, the minor is not given any possibilities to be heard (arts. 282; 410, para. 4; 436, para. 3; 438a, para. 3; 438b, para. 2 of the Civil Code). In case a child who is under parental power is placed under guardianship, the cantonal judge will only make a pronouncement after the child has been heard or has been properly summoned.

31. In the Code of Civil Procedure the only obligation that a child be heard is in case of adoption of a child who is at least 12 years of age.

32. In complicated cases in particular, Surinamese judges have developed the custom to hear children of at least 12 years old. The judges take into account each case and do not sharply adhere to the age limit of 12 years.

IV. CIVIL AND POLITICAL RIGHTS

A. Name and nationality (art. 7)

33. According to Surinamese law, the birth of a child must be entered in the Registers of Births within 3 days, not including Sundays and holidays (16 days for the districts). Notification of birth can be given in writing, provided it is signed by the informant and two witnesses. After 3 (or 16) days, entry of birth can only be made upon the authority of the Procurator General. The registrar will draw up a certificate of the notification of birth and he/she is authorized to demand that the child concerned be shown. The written notification of birth is appended to the Register of Births.

34. Notification of birth must be made by the child's father. If the father is unknown or if he is absent or prevented, notification of birth will be made by the physician, midwife or other person present at the birth and, if the mother gave birth at a place other than her home, by one of the above-mentioned persons or the person at whose home the child was born. Notification of birth is made to the registrar of the place where the child is born. The information to be provided includes date of birth, place of birth, time of birth, the identity of the parent(s) and the child's name.

35. With the exception of the interior of Suriname, the obligation of notification of birth is complied with reasonably well, although there are many instances of late notification, requiring permission from the Procurator General. As a consequence of the war in the interior of Suriname between 1986 and 1991, the branch offices of the Civil Registry Office became inoperative. Since then, notification of birth is done through the

Medical Mission, where this organization has posts in the interior. The Medical Mission in turn provides all information on births periodically to the Civil Registry Office. Since May 1995, civil servants of the Civil Registry Office have been registering persons in the interior who might not yet have been added to the Register of Births. For an effective and efficient registration of persons in the interior, the infrastructure must be improved. Furthermore, personnel will have to be recruited. Local persons are at present being used for this work.

36. The Surinamese Civil Code states that every individual has one family name and one or more first names. Legitimate and natural, acknowledged children bear the name of the father/person who has acknowledged them, while natural, non-acknowledged children bear the mother's name. The first name given to the child may not be offensive or go against good morals.

37. Suriname bases itself on the principle of descent. Pursuant to the Nationality and Residence Act (Bulletin of Acts and Decrees 1975, No. 171) the following persons shall have Surinamese nationality by birth:

(a) A legitimate, legitimized or natural child who has been acknowledged by the father who held Surinamese nationality at the time of the child's birth;

(b) A legitimate child of a Surinamese national who has died before the child was born;

(c) A natural child born in Suriname who has not been acknowledged by the father, unless it appears that this child holds the nationality of another State.

38. Parents are obliged to take care of and educate their children (arts. 157 and 351 of the Civil Code). Furthermore, the father of a natural, non-acknowledged child is obliged to provide for the maintenance and education of his child in accordance with his means (art. 342 of the Civil Code). If the child, after attaining the age of majority, is unable to take care of himself because of a physical and/or mental disability, the father shall remain obliged to provide for the child. The mother and father of a natural, acknowledged child are obliged to maintain and educate the child as long as he/she has not attained the age of majority (art. 358 of the Civil Code).

B. Preservation and respect of identity (art. 8)

39. The name of the child must be given for entry in the Register of Births. For a legitimate child, both the father's name and the mother's name are given in the birth certificate. For a natural child only the mother's name is given. A change of the child's family name can only take place on the authority of the President of the Republic of Suriname, while a change of the first name can take place on the order of a cantonal judge. A note is made in the margin of the birth certificate if a natural child is acknowledged by the father.

40. Since 1987 there is a compulsory citizens' registration for each resident of Suriname who holds Surinamese nationality and is 16 years of age

or older. An identity card is provided with a photograph of the person concerned, his/her family name, first name(s), date of birth, place of birth, the holder's sex and the ID number. There are no sanctions for not having an identity card; however, it can cause administrative problems.

41. The Civil Registry Office provides a family booklet for married couples and for unmarried mothers. This booklet gives the family relationship and personal details. The family booklet is not a legal document.

C. Freedom of expression (art. 13)

42. The Constitution provides for freedom of expression. As mentioned earlier, only in adoption cases is there an obligation to hear children, and then only children of at least 12 years of age, and in case of a complaint by the guardian concerning a minor's behaviour, the cantonal judge is obliged to hear the child concerned. In practice, the Surinamese courts tend to hear children of 12 years and older in complicated cases. For the rest, there are no specific provisions in the Surinamese legislation which express respect for freedom of expression by the child.

43. In general, children in Suriname are not encouraged to give their own opinion or views at home or in school. Children who are encouraged to do so are often considered impudent or impertinent by their elders. In most schools teachers still apply the rule that they know best and that their students must accept everything they say or do without protest.

D. Freedom of thought, conscience and religion (art. 14)

44. Article 19 of the Constitution lays down that every individual has the right to express his/her thoughts or feelings and opinion through the printed press or other media, with due respect for every individual's responsibility in accordance with the law. Article 38 of the Constitution lays down the right to education and cultural expression, and article 39 of the Constitution lays down that the State shall guarantee the right of all citizens to education and shall eradicate illiteracy. Moreover, it is stated that the State, through its education policy, shall enable access for all citizens, in accordance with their capacities, to the highest levels of education, scientific research and artistic expression.

45. Article 18 of the Constitution establishes freedom of religion and conviction. No special provision has been made therein for children. The Constitution further prohibits every form of discrimination on the basis of religion or any other status.

E. Freedom of association and of peaceful assembly (art. 15)

46. There are associations of secondary school students which direct their attention mainly towards recreational activities. No information is available on associations of primary school students.

47. In article 21 of the Constitution the right to peaceful assembly is acknowledged. The exercise of this right, however, can be subjected to

regulations and restrictions in the interest of public order, security, health and good morals. A request to hold a demonstration will have to be submitted to the District Commissioner.

F. Protection of privacy (art. 16)

48. According to the provisions of article 17 of the Constitution, every individual has the right to respect of his/her privacy, honour and good name. No one's home may be entered without permission and without an order issued by the competent authorities. Moreover, it is determined that secrecy of correspondence, telephone and telegraph is inviolable, unless in cases provided by the law. These provisions are general and are not directed specifically towards children. They do reflect, however, a general atmosphere in which parents can teach their children independence and feelings of responsibility with due respect for their privacy.

G. Prohibition of torture or other inhumane or degrading treatment or punishment (art. 37 (a))

49. In accordance with the provisions of article 9 of the Constitution, every individual has the right to physical, mental and moral integrity and no one may be subjected to torture or degrading or inhumane treatment or punishment. Article 16 of the Constitution further lays down that every individual has a right to personal freedom and safety and that no one will be robbed of his/her freedom except on the grounds and in accordance with the procedures laid down by law. In view of the provisions of articles 48 through 66 of the Code of Criminal Procedure, no one may be arrested or deprived of his/her freedom except by virtue of an order issued by the competent authorities. Everyone who has been deprived of his/her freedom has the right to treatment in accordance with human dignity, in pursuance of the provisions of article 16 of the Constitution. The above provisions apply to all citizens, including children.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

50. The Constitution lays down that parents have the same responsibilities towards their legitimate and natural children. The Constitution acknowledges and protects children. The State holds particular value for the family as the basis for society and for the maintenance of the original nature of the Surinamese family, including the values and norms relating thereto. Moreover, the State acknowledges the exceptional value of motherhood and the right of each child to protection without discrimination.

51. The Ministry of Social Affairs and Housing coordinates different programmes which provide for material support for families and children, including:

(a) General family support for children whose parents do not receive any support. The benefit per child is Sf. 60 a month (against the official exchange rate, this is about US$ 0.15) for a maximum of four children per family;

(b) A card for lower-income groups which provides complete and extensive health care, including specialist care, medicines and treatment in hospital; about 25 per cent of the Surinamese population hold such a card;

(c) General old-age benefit for all Surinamese older than 60 years (Sf. 9,000 a month) (about US$ 25); 1/

(d) A subvention for the purchase of educational materials, school uniforms and shoes.

52. Owing to spiralling prices and inflation, periodical adjustments of the benefits could not meet the basic needs of the recipients. In order to cushion the effects of the structural adjustment programme to some extent, the social safety net programme was introduced in 1995. This programme provides a wider package of assistance for lower-income groups. At present, some 30,000 households receive such assistance from the Ministry of Social Affairs and Housing.

53. In the field of family planning the Lobi Foundation, a non-governmental organization which is supported technically and financially by the International Planned Parenthood Federation, plays a leading role in that it collaborates closely with the Government. The Government has appointed the Lobi Foundation as the chief importer of contraceptives and as coordinator of family planning activities.

B. Parental responsibility (art. 18, paras. 1 and 2)

54. Parents are obliged to maintain and educate their minor children (art. 351, para. 2, of the Civil Code). Loss or absence of parental power or custody does not remove the obligation to contribute to the costs of maintenance and education of their children in accordance with their means. Furthermore, married parents are obliged to maintain and educate their children (art. 157 of the Civil Code).

55. To enable working mothers to combine work and family responsibilities, there are a total of 40 Government-run or private daycare centres for children under 6. The majority are situated in Paramaribo. In the districts, children are usually cared for by family members. Although the cost of daycare centres is relatively low, their services are beyond the reach of a large number of working mothers owing to the deteriorating economic conditions. Kindergarten, which falls under the Ministry of Education, admits children between 4 and 6 years of age.

C. Separation from parents (art. 9)

56. In Surinamese law a distinction is made between legitimate, natural and acknowledged children. During a marriage, the father exercises parental rights over the legitimate children. If the marriage is dissolved, the children are placed in the custody of either of the parents. Natural children are in the custody of their mother as long as they are minors, if the mother

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* As per 1 November 1997 this benefit was raised to Sf. 15,000.

is at least 21 years of age. If the mother is younger than 21, one of the mother's parents is given custody of the child. Parental rights can be removed if the parent is unsuitable or unable to fulfil his/her obligation of care and education and if withdrawal of parental rights is not against the interest of the children. Parental rights can be withdrawn with respect to one or more children and at the request of the Family Law Bureau or the public prosecutions office. Moreover, parental rights of either of the parents can be withdrawn on grounds of abuse of the parental rights, gross negligence in the care and education of the child, bad conduct, final sentencing for a sexual offence against the child. When parental rights are withdrawn, the cantonal judge shall, at the same time, provide for custody of the children.

57. As noted earlier, there are no special chambers at the Court of Justice to hear cases that have to do with personal or family law, such as divorces, custody, alimony, and so forth. The Family Law Bureau is always consulted by the judge, but little use is made of child psychologists.

58. Surinamese legislation does not lay down visitation rights. In practice, visitation is regulated by the judge in consultation with the Family Law Bureau. There are no sanctions against not adhering to the visitation regulation. It is desirable that situations in which both parents are suitable to have custody of their children be legally regulated.

D. Family reunification (art. 10)

59. There are no special regulations with respect to this matter. Each Surinamese national is entitled to a passport from the moment of birth, which enables him/her to travel abroad and return home. All Surinamese are free to emigrate and maintain their Surinamese nationality. Children also have this freedom, but they are subject to permission from the person who has parental authority or custody of them.

60. There are no statistics on the phenomenon of broken families. The Family Law Bureau receives an average of six cases per week, which is an indication that there are more. A considerable part of the cases has to do with reunification of children living in Suriname and parents living in the Netherlands. There are cases of children whose parents have emigrated to the Netherlands and who want their children to join them there. The Dutch immigration laws apparently do not always allow such family reunification.

E. The right to an adequate standard of living (art. 27, para. 4)

61. Parents are obliged to provide for the costs of care and education of their minor children (arts. 157 and 352 of the Civil Code). This obligation is restricted to the costs of items such as food, clothing and education. Alimony for a minor is determined in accordance with the needs of the minor, on the one hand, and the ability of the person obliged to pay alimony on the other hand, with due account for the number and the capacity of the other persons whose maintenance the person is obliged to provide according to the law (art. 381 (a) of the Civil Code).

62. According to the Constitution (art. 50), the policy on social security for widows, orphans, the aged, the disabled and those unable to work shall be set by law; however, no such law exists.

63. Desertion of persons for whom one is obliged to provide maintenance, nursing or care according to the law is punishable (art. 314 of the Code of Criminal Procedure). Non-compliance with a court order to pay alimony to minor children is also punishable by law (art. 314 (a)). Moreover, the person who causes another person ordered by the court to pay alimony to a minor not to do so, shall also be punishable by law (art. 314 (b)).

64. In virtue of the General Family Allowance Regulation of 1973 (Bulletin of Acts and Decrees 1973, No. 107, Bulletin 1982, No. 99), child allowance is awarded to all interested parties for children who have not yet reached the age of 18 years, who are not married or have never been married, and who do not earn an income. An amount of Sf. 15 per child (about US$ 0.15) per month, with a maximum of four children per family, is paid to families who receive family allowance elsewhere. There is also a Family Allowance Regulation of 1971 (Bulletin of Acts and Decrees 1971, No. 68) which concerns the child allowance for civil servants and teachers who are paid by the State treasury. The child allowance for civil servants is Sf. 8 per child per month, with no limit as regards the maximum number of children per family. The indigent receive financial support from the Government of between Sf. 130 and Sf. 450 (between US$ 0.30 and US$ 1) a month, while orphanages, children's homes and boarding schools receive a subvention of Sf. 6 (US$ 0.02) per child per day.

65. With a view to guaranteeing the recovery of maintenance of the child by the parents or others who have financial responsibility for the child, reference is made to:

(a) The State Decree of 16 January 1979 in implementation of articles 2, 3 and 10 of the Act of 30 November 1978 (Bulletin of Acts and Decrees 1978, No. 59) in execution of the Convention on Recovery Abroad of Maintenance, ratified in New York on 20 June 1956 (Bulletin of Acts and Decrees 1979, No. 7);

(b) The Agreement on Acknowledgement and Execution of Decisions concerning Liabilities to Maintain Children (The Hague, 15 April 1958, Bulletin of Conventions 1959, No. 187).

F. Children deprived of a family environment (art. 20)

66. At the request of a parent who has parental rights, one of the blood relatives or relatives by marriage up to and including the fourth degree, or the public prosecutions office, a child can be placed under supervision if he/she is being brought up in such a manner that there is a threat of moral or physical ruin. The supervision of the child is pronounced by the court and shall last for no more than one year and can be extended no more than one year. When the child is placed under supervision, the court shall also appoint a family guardian to carry out the supervision. The parent who has parental rights is obliged to follow the instructions of the family guardian in the care and education of the child. The supervision can be repealed at

any time by the judge. Although such supervision is regulated by law (Act of 30 May 1972, Bulletin of Acts and Decrees 1972, No. 50), it does not work in practice owing to the lack of family guardians.

67. A child can only be placed outside the family environment in the following cases:

(a) For the determination of his/her physical or mental state, in a hospital for no more than three months;

(b) If necessary for his care and education, in an institution for no more than one year.

In these cases the judge will take into account the wishes of the persons who have parental rights and the religious conviction of the child and the family.

68. The care of minors placed under supervision is laid down by law of 30 May 1972 (Bulletin of Acts and Decrees 1972, No. 61). The law further provides that reformatories can be set up whose numbers, locations and names are determined by the Minister of Justice and Police. Such reformatories are supposed to take minors whose education and care the State must provide. These institutions should offer residence in groups and in isolation, and minors should be separated according to their sex and, if possible, their age, development, health and conduct. In case of serious illness, the minors can be transferred to a hospital. The costs of such care should be borne by the State. The minors should be given the opportunity to participate in education and religious instruction. Unless explicit exemption is granted, minors should also perform work. At present, there is no such reformatory.

69. Juveniles sentenced to prison are placed in a special section of the general prison. Boys who are placed under State supervision are placed in a home for boys which is run by the Ministry of Social Affairs and Housing. At present, there is no facility for girls. The home for girls, which was also run by the Ministry of Social Affairs and Housing, was closed some years ago for renovation purposes and has not been reopened because of the lack of finances and trained workers.

70. The Minister of Justice and Police can also entrust minors to special persons residing in Suriname or to organizations or foundations which run institutions for the care and education of minors. The Minister can - after having heard the judge who made the decision - decide at any time to cancel, conditionally or unconditionally, the committal of a minor to an institution. Conditional cancellation can be withdrawn or suspended if the minor violates the conditions which have been laid down or misbehaves in any other manner, or if the interest of the minor so demands. The costs of the committal shall be borne, as far as possible, by the persons who have parental rights or by the minor himself, or by the State.

G. Adoption (art. 21)

71. In pursuance of the Adoption Act - which dates from 1972 - adoption takes place by court decision, by which the request for adoption of a child by a petitioning, married couple is allowed. Should either of the spouses die,

the request for adoption can be made by the surviving spouse on the condition that the request is in accordance with the wishes of the deceased. Allowing a request for adoption can only take place if:

(a) The requested adoption is apparently in the best interest of the child to be adopted;

(b) The child concerned is still a minor on the date of the request and, if the child is 16 years or older on the date of the request, this child agrees with the adoption;

(c) The child is not a legitimate or natural descendant of either of the adoptive parents; and

(d) Neither adoptive parent is older than 50 years of age and the woman is not more than 40 years older than the child to be adopted.

72. A decision with respect to adoption will be postponed if and as long as:

(a) The child's mother is a minor and has not yet reached the age of 21 years;

(b) A period of two years has not lapsed since the day on which the child's mother or father with whom it holds a civil relationship, has made an oral or written declaration of no objection to the adoption before the judge;

(c) A period of three years has not lapsed since the day on which the adoptive parents have entered into marriage with one another;

(d) Custody of the child has not been given to either of the adoptive parents and a period of six months has not lapsed since the day of the request;

(e) The child has not actually been cared for and educated by the adoptive parents jointly (or, if either of them has died, by the surviving parent) for a period of:

(i) six months if the child is younger than three years on the day of the request;

(ii) one year if the child is older than three years and younger than six years on the day of the request;

(iii) two years in all other cases.

73. Through adoption the civil relationship between the adoptee and his/her blood relatives or relatives by marriage shall be nullified. For the determination of rights concerning an inheritance which has become available after the day of adoption, the child concerned shall be considered as a child born from the marriage of the adoptive parents, even though one of them may have died before that day.

74. After the request for adoption has been submitted to the competent cantonal court, the court clerk shall immediately - unless the cantonal judge immediately declares himself to be incompetent or rejects the request on the basis of non-compliance with the legal conditions for approval - send a copy of the request to the Family Law Bureau. The latter will investigate the matter and report and advise on the requested adoption within three months, subject to the possibility for extension of this period by the cantonal judge. In cases in which the decision with respect to a request must be postponed by virtue of the provisions of article 342 of the Civil Code, the Family Law Bureau will submit a provisional report. If the request is not granted, the court decision is sent as soon as possible by the Family Law Bureau to the mother and to the father who has a civil relationship with the child. Adoption becomes final on the day of the court decision concerning approval of the request of the adoptive parents. The court decision cannot be retroactive. Adoption can be reversed by court decision at the request of the adopted child and this is only allowed if this is in the interest of the child, the judge is fully convinced of the morality of the recall, and the request is submitted no earlier than two years and no later than three years after the day on which the adopted child came of age.

75. Through reversal of the adoption, the adopted child is no longer considered a legitimate child of the adoptive parents and the civil law relations which existed by virtue of such a status between the adopted child, his/her spouse and children on the one hand, and the adoptive parents and their blood relatives and relatives by marriage on the other hand, shall cease. The civil relations which ceased through the adoption, shall be reinstated through reversal of the adoption. The entry of an adoption shall take place at the request of the adoptive parents or the Family Law Bureau in the Register of Births in the place where the adoptee's birth certificate is entered or - in default thereof - in the Register of Births of Paramaribo. Entry of reversal of an adoption shall be made at the request of the adopted child or the Family Law Bureau in the Register of Births of the place where the adoption was entered.

76. Inter-country adoption generally takes place only between Suriname and the Netherlands; the present report will therefore focus on this. In case of inter-country adoption, mediation in Suriname is undertaken by the Family Law Bureau and private organizations such as the Kalebas Foundation, the children's home Samuel and the Salvation Army. The Family Law Bureau has a waiting list of Dutch prospective foster parents. The difference between the methods of the Family Law Bureau and the private organizations is that the former first seeks appropriate Surinamese foster parents. Only after this has been investigated and it appears that placement in a Surinamese family is impossible will the Family Law Bureau approach a Dutch foster family. The private organizations, however, "search for" Surinamese children for Dutch foster parents. With a view to "bona fide" mediation, the Placement of Foreign Foster Children Act of 8 December 1988 was enacted in the Netherlands (Bulletin of Acts and Decrees of the Kingdom of the Netherlands, No. 566, effective on 15 July 1989), in which it is laid down that only legal entities which meet certain criteria and are in the possession of a licence issued by the Ministry of Justice are allowed to act as mediators. Suriname does not have a similar regulation and the only supervision which takes place is carried out by the Family Law Bureau when it is called upon as a government

body to make provisions regarding parental rights for the benefit of the foster parents. When such provisions are made, the mother-guardian of the child has to yield her parental rights. The Family Law Bureau first investigates whether the mother is indeed unable or unsuitable, in accordance with article 438a of the Civil Code, to care and educate her child, and that there are indeed valid grounds for the withdrawal of parental rights. Thereupon, the documents of the Netherlands (namely the advice of the Child Protection Board, the medical certificates and the permission in principle of the Ministry of Justice) are studied. If everything is found to be in good order and the Family Law Bureau deems it to be in the best interest of the minor, a provision as to parental rights will be made, which means that parental rights will be withdrawn from the child's mother and given to one of the foster parents. A supervisory guardian is appointed in the Netherlands, because the Surinamese court cannot appoint a supervisory guardian abroad. The Family Law Bureau will never make any provisions for parental rights if the permission in principle issued by the Ministry of Justice of the Netherlands is lacking. To acquire such permission, an application must be made to the Ministry of Justice (Juvenile Protection and Rehabilitation in The Hague), stating personal data, family composition, and any preference for a certain country of origin of the child to be adopted. If certain guidelines are met, the applicant is referred to the Child Protection Board, which carries out an investigation of the suitability of the aspiring foster parents with regard to the care and education of a child; information is also sought from the local police for any information on the foster parents. After the family report, the advice of the Child Protection Board and the medical certificate have been received, the Minister of Justice of the Netherlands decides whether or not to grant a permission in principle.

77. The requirements which foster parents must meet are the following:

(a) The partners must be married;

(b) When the request for placement is received, neither parent may be older than 41; moreover, the age difference between the foster child and each of the foster parents may not be more than 40 years (exceptions are possible);

(c) The parties must be in the possession of a permission in principle, which is valid for a period of three years and can be extended each time for three years at most;

(d) The future foster parents must be found suitable by the Child Protection Board to carry out the task they wish to take upon themselves and must have at their disposal a medical certificate that their health is not an impediment to taking a foster child into their family;

(e) They must declare themselves willing to take upon themselves all medical care and costs relating to the foster child;

(f) They are obliged to bear all costs related to the child's stay in the Netherlands as if the child were their own, and they must also bear any costs of returning the child to his/her country of origin.

78. Requirements which the foster child must meet to be admitted to the Netherlands are:

(a) Upon entry the foster child may not yet have reached the age of six years (exceptions are possible);

(b) The foster child must be in the possession of a permit for temporary residence;

(c) The future foster parents must submit a medical certificate attesting that the child is not suffering from any hazardous infectious disease or long-lasting physical or mental illness;

(d) Mediation must have taken place through licensed organizations;

(e) It must be proven with documents that the parent or parents of the foreign foster child has/have given up their parental rights, and the competent authorities of the country of origin must agree with the placement of the foster child in the foster family concerned.

79. In Suriname, the Surinamese judge has the final say. He will also study the Dutch reports of the foster parents after which he - having heard the future foster parents - will appoint one of the foster parents as guardian of the minor. The Family Law Bureau has laid down as a requirement that foster parents must remain in Suriname for at least six weeks to attend the court session in person and still have sufficient time to prepare all necessary documents for the return trip with the child. After the foster child has lived for one year in the Dutch foster family's home, an adoption request can be submitted to the court. The procedure to be followed has to do with the following:

(a) Both the Surinamese and the Dutch laws on adoption demand that the foster parents must have custody and supervisory guardianship of the minor concerned before adoption can take place;

(b) The Netherlands acknowledges Surinamese decrees on custody and guardianship and vice versa, in accordance with the agreement between the Kingdom of the Netherlands and the Republic of Suriname concerning mutual acknowledgement and execution of court decisions and authentic deeds in civil law cases (Bulletin of Acts and Decrees 1976, No. 144);

(c) The Netherlands does not, however, acknowledge adoptions which were pronounced in Suriname by a Surinamese court and Surinamese adoption decisions are therefore not valid in the Netherlands; this means that adoption procedures will have to be undertaken anew in the Netherlands.

H. Illicit transfer and non-return (art. 11)

80. There are officially no known cases of illicit transfer of young children to other countries. There are legal measures to prevent these practices and to fight them. There have been cases, however, of teenage girls being induced to travel to neighbouring countries with adults and there being abused by the adults. There are also cases of children who, after a divorce

or after being placed in the custody of one of the parents, are taken abroad - usually to the Netherlands - by the parent without parental custody, and sometimes even by grandparents.

81. The following agreements have been signed with the Kingdom of the Netherlands: Agreement concerning Civil Law Procedure (The Hague, 15 April 1958, T/10 July 1977, Bulletin of Acts and Decrees 1954, No. 40); Agreement concerning Mutual Acknowledgement and Execution of Court Decisions and Authentic Deeds in Civil Law Cases (The Hague, 27 August 1976, I/18 June 1981, Bulletin of Acts and Decrees 1983, No. 8, VB 1981 No. 16). The latter agreement was suspended by the Kingdom of the Netherlands on 16 December 1982, and in June 1983 the Minister of Justice and Police of Suriname signed the Protocol, together with his Dutch colleague, on special provisions concerning the agreement between the Republic of Suriname and the Kingdom of the Netherlands.

I. Protection against violence, abuse and neglect, and help for victims (arts. 19 and 39)

82. In titles XIII, XIV, XV, XVIII, XIX and XX of the Code of Criminal Law, provisions are included concerning the prevention of all forms of physical and mental violence, injury or abuse, physical and mental neglect or neglectful treatment, abuse and exploitation, including sexual abuse. As far as sexual offences are concerned, the Minister of Justice and Police appointed a committee to review legislation on sexual offences, whose task was to make an inventory of legal regulations with respect to this matter, to study to what extent these regulations have been adapted to present-day views and to make recommendations to the Minister. This committee submitted its final report in 1994. The bill on offences against public decency is at present with the State Council for advice before being submitted to the National Assembly.

83. If a child is growing up in such a manner that it is threatened with moral or physical ruin, the cantonal judge can place this child under supervision (art. 372 of the Civil Code). This can take place at the request of one of the parents who has parental rights, by a blood relative or relative by marriage up to and including the fourth degree, or by the Family Law Bureau, or at the request of the public prosecutions office. Besides this, the cantonal judge may, in the interest of the child, withdraw parental rights from the parents over all their children or over one or more children. In the interest of the minor, the cantonal judge can remove the guardian from guardianship of all or of one or more children (art. 435 of the Civil Code).

84. The deteriorating economy has had many victims among the youth in particular. In 1993, more than 1,000 children and guardians in need of help appealed to the Foundation for Human Development (a private organization) and the Youth Affairs Department of the Ministry of Justice and Police. They were primarily youngsters between 12 and 16 years old, 70 per cent of whom were boys. These youngsters had been victims of, among other things, sexual abuse or prostitution. It seems that a new group of children is forming who, according to their parents or guardians, are "difficult". Usually these children are victims of abuse, but this is not recognized as such by the adults who are responsible for their care. The behaviour demonstrated by these abused children causes them to be labelled as "difficult" children.

85. The Crisis Center for Sexually Abused Children, which was a project that fell under the responsibility of the Foundation for Human Development, took in a total of 43 children for counselling between May 1993 and May 1994. The children were between 6 and 16 year olds; the majority of them were between 10 and 13. They came from all ethnic groups. The children had been victims of physical abuse, while 35 of them had been physically and sexually abused. They showed signs of psychological abuse and emotional neglect. Children were placed for short-term care (3 months), medium-term care (6 months) or long-term care (12 months at most). In 1994 serious differences of views between the responsible organization and the Dutch consultant (who had been involved in the implementation of the project), as well as the spiralling costs of maintaining the crisis centre, forced the Foundation for Human Development to close the centre. At present, the care provided for (sexually) abused children by the Foundation is ambulatory with the help of a multidisciplinary team made up of representatives of different organizations working with children and women, such as the Pedological Institute of the Ministry of Education, the Lobi Foundation, the Foundation Ban Violence against Women, the paediatric department of 's Lands Hospitaal, and the social worker of the Academic Hospital. The Foundation for Human Development is at present also providing training for people who want to work with or for abused children. Two basic courses have already been completed, while there are plans for follow-up courses in 1997. The organization further carried out education and information programmes on abuse in a small number of schools in 1996 as a pilot project. The intention is to develop awareness-building programmes for children on abuse and present them in schools on a more regular basis.

86. The Foundation for Children took it upon itself to open a home for abused children in 1994 to provide for the group in need of shelter, more or less along the same lines as the former crisis centre of the Foundation for Human Development. The Juvenile Affairs Department of the Ministry of Justice and Police provided shelter for some 120 boys last year by picking up the children and placing them in cells "for their own protection". These boys had been victims of abuse or were homeless. Not long after the head of the Department was ordered by the public prosecutions office to release the boys, since this method was regarded as a violation of the law and there were no facilities available for proper guidance of the children.

87. Apparently, the number of children who fall victim to violence is increasing. The lack of reliable data is a constraint. There are indications that abuse of children mostly takes place at home or by persons known to the children. Often, the reason for the abuse is that the children are unable to perform the task assigned to them, for which they are usually too young or not properly prepared. Parents are also becoming frustrated by the economic situation and react in aggression towards their children.

88. In 1996 the Foundation for Help to Victims was established. This foundation aims at providing assistance to all sorts of victims, including children and their families, in finding legal help and redress. Another important activity is providing assistance to victims in overcoming their problems and functioning in society.

J. Periodic review of placement (art. 25)

89. There is usually no evaluation of placement. If it appears that it is impossible to return the child to his/her own environment, placement in a foster home takes place, together with a measure aimed at child protection (withdrawal of parental rights or supervision by the Mr. Huber Foundation). There are few possibilities for shelter. There is little supervision of the homes and no treatment plan. Most homes only provide shelter and have an enormous lack of trained personnel.

VI. HEALTH AND WELFARE

90. The policy in the field of health care assumes that health-care services must be available and accessible, affordable and acceptable for the population, with the emphasis on development of primary health care.

A. Survival and development (art. 6, para. 2)

91. Up to the 1980s, public health care in Suriname was a model of efficiency and effectiveness. Its coverage was almost complete and the health indicators were relatively high for a developing country. Until recently, basic health services were guaranteed for the greater part of the population. The rapid deterioration of the economy has had a dramatic effect on public health, which is presently confronted with a serious lack of humanpower, enormous shortages of essential medicines, laboratory stocks, medical equipment and spare parts, and other matters that have to do with infrastructure, including transportation. The health care in the interior, erstwhile praised by the World Health Organization as a model for primary health care, has also suffered from a domestic war which raged in the late 1980s, as a result of which different villages in the interior no longer have access to adequate medical care.

92. To stop the rapid deterioration of health care in Suriname, the Government included the following activities in its development programme for 1994-1998: cost management and redress; privatization of public hospitals; strengthening of primary health care by encouraging the involvement of the society; acceptance of a multisectoral approach by improvement of nutrition, sanitation, education, housing, employment, etc.; integration of components of primary health care, for example, immunization programme, mother and child care, diarrhoea control, family planning and sexually transmitted diseases, including HIV; emphasis on the special role of women in the area of health care and development, while acknowledging that they are the aim of different activities directed towards promotion of health care and prevention of disease; decentralization of health-care management.

93. In the period between 1992 and 1995 Suriname went through a crisis in the health care sector as well. For the first time in its history, children were admitted to hospital ('s Lands Hospitaal) because of severe malnutrition. There were even some cases of impaired eyesight, underdevelopment and deaths owing to malnutrition in the first months of life. Since no national statistics are available, the exact number of children who suffer from malnutrition is not known.

B. Disabled children (art. 23)

94. There are no legal regulations directed in particular towards the protection of and health care for disabled children. Social care for persons with disabilities falls under the responsibility of the Ministry of Social Affairs and Housing through: the Service for the Care of Persons with Disabilities, which is responsible for providing advice, social and cultural work and counselling of disabled persons; the Foundation for Training Projects and Young People with Disabilities, which is responsible for the vocational training and social education of youngsters with disabilities (both mental and physical).

95. There is a joint provision for transportation for disabled persons and senior citizens. Private organizations play an important part in the care of the disabled, especially sheltered care. The cooperation with the Government is elaborated in the National Advisory Board for the Policy on Persons with Disabilities, which is working towards a policy and legislation directed towards complete social integration of persons with disabilities, in accordance with the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities. The policy of the Ministry of Social Affairs is aimed at giving private organizations more influence in the formulation of policy and to gradually decrease the Government's share in the execution of the work, while increasing private initiative in this field. Furthermore, the aim is to develop the Department for the Care of Persons with Disabilities into a secondary health care organization, in which the methods and organization of work with persons with disabilities will get an important place.

96. The Child Guidance Clinic of the Public Health Bureau and the Revalidation Center are both concerned with children with disabilities. The Child Guidance Clinic provides multidisciplinary care which comprises medical examination, treatment and counselling, but it is not decentralized. Through its Early Detection and Early Stimulation Department the center aims at an early detection of developmental problems, followed by stimulation with, for example, a home training program. There is preventive information and education on a small scale. In cooperation with the Family Health Department of the Public Health Bureau a policy is drawn up to optimize the care of the 0-5 year age-group. There is not yet a clearly structured policy on primary and secondary health care and/or curative care for children with disabilities. A lack of humanpower and material, insufficient testing material and stagnating referrals for placement as a result of insufficient placement possibilities form a threat for the health care of children with disabilities.

C. Health and health services (art. 24)

97. The Ministry of Health is responsible for public health in the widest possible sense and for supervision of public health in particular, including health and nutrition information and education. Besides the Regional Health Services, the umbrella organization of the Ministry of Health, the Medical Mission, the Public Health Department, the State Sickness Insurance Fund, the Pharmaceuticals Supply Company of Suriname and the Lobi Foundation are important health service providers in Suriname.

98. The Regional Health Services - established in 1980 - provide the following health care services in the coastal area of Suriname: curative health care (general medical care), preventive health care (mother and child care), laboratory and pharmaceutical services. So far, services are free of charge and are intended for the approximately 105,000 financially weak persons who are registered with the Ministry of Social Affairs and Housing, while for the more or less 140,000 persons registered with the State Sickness Insurance Fund the costs are paid in part.

99. The Regional Health Services comprise:

(a) 9 health care centres with medical and paramedical services and mother and child care services;

(b) 29 basic polyclinics which provide medical and paramedical services and mother and child care;

(c) 45 branch polyclinics in small villages in the districts, which are visited regularly by physicians and nurses.

100. The Medical Mission is a non-profit organization which operates as an umbrella for three foundations which are based on Christian conviction. The Medical Mission is charged with the health care in the interior of Suriname and is subsidized for the full 100 per cent by the Ministry of Health. The Medical Mission takes care of:

(a) Health education: nutrition, disease prevention, hygiene and clean water;

(b) Prenatal control, immunization, mother and child centres;

(c) Family planning;

(d) Health care;

(e) Provision of essential medicines;

(f) Referral of acute and other cases to Paramaribo;

(g) Execution of "vertical" programmes, such as malaria eradication;

(h) Epidemiological surveillance.

The medical treatment in the interior is free of charge, which includes the use of the facilities of the Diakonessen Hospital in Paramaribo and transportation.

101. The Public Health Bureau of the Ministry of Health coordinates preventive health care activities. This bureau administers the immunization and disease-control programmes for malaria, yellow fever, dengue, schistosomiasis and HIV. The Epidemiology Department of this bureau has a national surveillance system for infectious diseases. The Family Health Department is concerned with monitoring the growth, development and nutrition

of children, the counselling of mother and child clinics and daycare centres, and also carries out research and offers training. The Public Health Bureau's endeavours are presently directed towards encouraging children in the age group 1-5 years to be brought to mother and child clinics according to a certain protocol. The Bureau is further involved in an intersectoral consultation with other organizations to develop standards for daycare centres and the legislation for children's homes.

102. The State Sickness Insurance Fund, which was established in 1981, offers coverage for curative medical services for civil servants and their families and a number of voluntarily insured persons. About 40 per cent of the population is covered by this system.

103. The Pharmaceuticals Supply Company of Suriname is the central importer, producer and distributor of essential drugs and medical stocks in Suriname.

104. The Lobi Foundation, a non-governmental organization, is charged by the Government with the coordination of family planning activities in the clinics of the Regional Health Services and the import of contraceptives.

105. There are four Government-owned and two private hospitals in Suriname, namely: the Academic Hospital with 399 beds; 's Lands Hospitaal with 304 beds; the Regional Hospital of the District of Nickerie with 60 beds; the State Psychiatric Hospital; the Diakonessen Hospital with 225 beds (private); the Saint Vincentius Hospital with 287 beds (private).

106. The health services are threatened by:

(a) A lack of adequate management and trained personnel;

(b) Insufficient to no maintenance of buildings, medical equipment and instruments;

(c) A shortage of drugs, laboratory and hospital necessities, which seriously hamper operations.

107. In 1976 Suriname started vaccinating the under one year-olds against diphtheria, tetanus and poliomyelitis. After a measles epidemic in 1980/81, the measles vaccination was included in the immunization programme. In the early 1990s a law was passed which made it compulsory for all children to be fully vaccinated before entering primary school. Vaccinations against rubella are routinely given to girls in primary school. Owing to financial and logistical problems, the vaccine is not always available, however. Since 1995, male infants are also routinely vaccinated against mumps. Vaccinations against tuberculosis are not given routinely. Suriname aimed at a 90 per cent coverage, a 95 per cent reduction of deaths owing to measles, eradication of neonatal tetanus by 1995 and of polio by the year 2000. The immunization programme, however, was seriously impeded by the war in the interior, and the present economic crisis threatens the continuity of the services even more.

108. The general vaccination coverage was 85 per cent in 1985, dropping to 75 per cent in 1995. The reasons for this further deterioration are:

(a) The collapse of the public transportation system, which is either not available or too costly, as a consequence of which the mother and child clinics are not as easily accessible as before;

(b) Increasing numbers of mothers hold two or even three jobs to make ends meet, and therefore do not have time to take their children to the clinic;

(c) Departure of trained personnel of the Public Health Bureau and the Regional Health Services.

109. In October 1992 the Public Health Bureau started a national campaign to promote breastfeeding. Health workers of mother and child clinics and hospital personnel were instructed to encourage breastfeeding. An increase of breastfeeding was noticed, which was possibly also due to the enormously increased prices of formula.

110. The problem of malnutrition among children between the ages of 1 and 2 years manifested itself in the first three months of 1994, when eight deaths as a result of malnutrition were reported. In the first six months the statistics on hospitalization of children between 0 and 3 years of age owing to malnutrition were comparable with those of 1993; the statistics on hospitalization of children older than 9 months were, however, considerably higher (60 as compared with 15). It was thought that children up to the age of 9 months possibly benefited to a certain extent from breastfeeding.

111. Some factors which lead to malnutrition are:

(a) Lack of financing to purchase suitable and adequate food;

(b) Weaning of children as of 6 weeks of age because the mothers work and there are too few daycare centres;

(c) Extremely high prices for baby formula and, if purchased, it is strongly diluted;

(d) Too little nutrition information;

(e) Increasing risk of infections (diarrhoea) as a result of deteriorating basic sanitation and an increasing inaccessibility of basic needs;

(f) After the war in the interior, fewer crops were planted in the interior, there was less hunting and fishing, and most of the basic foods had to come from Paramaribo;

(g) Only 78 per cent of the persons with a so-called "milk card", including pregnant women and children under five, make use of this card and buy milk from the Dairy Central of Paramaribo. The reasons given for this are that the milk is too expensive and that there are no refrigeration facilities available;

(h) The high cost of medical services, even for those who are insured through the State Sickness Insurance Fund or the financially weak who hold a medical card.

112. Malnutrition among the 4-12 age group is also increasing. A survey carried out by the Public Health Bureau in 1992 in three schools in Paramaribo showed that many children go to school without eating breakfast. In reaction to this, some school nutrition programmes were started in 1993. A special foundation was set up by the Ministry of Education to deal with school nutrition programmes.

113. The Foundation for Human Development carried out a UNICEF-sponsored survey on the nutritional status of children in daycare centres and children's homes in 1993. The results of the survey were presented to the Ministry of Social Affairs and Housing. A nutrition programme for infants who were identified as being high-risk at birth by the paediatric department of the 's Lands Hospitaal was also carried out by this foundation. The programme was carried out by fieldworkers who visited the mothers of the infants in their own environment.

114. There is no reliable method to acquire data on food consumption, nutrition and health. To identify vulnerable groups, complete and reliable statistics from the Ministry of Social Affairs and Housing and the Ministry of Agriculture, Animal Husbandry and Fisheries are essential.

115. The mortality rate in Suriname resembles that of industrialized countries. Most people die as a consequence of chronic degenerative diseases. The under-five mortality rate was 1.7 per 1,000 in 1987. The 1995 Situation Analysis of Children and Women in Suriname gave the infant mortality rate of 1992 as 16.4 per 1,000 live births, while the under-five mortality rate was said to be below 2 per 1,000. Since no figures were available for after 1992 at the time the present report was written, no up-to-date information can be provided.

116. Most child mortality takes place in the postnatal period owing to early births, low birth weights and placenta irregularities. The second important cause of death among children between 0 and 1 year of age is gastroenteritis. There are no clear differences in this between boys and girls. Epidemiological surveillance data in the past years show an increase of poverty-related diseases. Diarrhoea is one of these diseases and is clearly increasing among the under-five group. Although the general child mortality rate showed a slightly decreasing trend, the mortality rate owing to diarrhoea increased from 6.6 per cent in 1989 to 18.8 per cent in 1991. Gastroenteritis has also become an important cause of death in the under-five age group, as have respiratory diseases.

117. The Ministry of Health is responsible for both preventive and curative care. For both areas there is a network of collaboration between government services and private organizations. This network comprises the following organizations:

(a) For general health care:

(i) The Faculty of Medical Sciences of the University of Suriname and the Academic Hospital;

(ii) The State Sickness Insurance Fund;

(iii) The Regional Health Services, the Public Health Bureau, COVAB (the central nurses' training centre);

(iv) The Lobi Foundation, the Foundation for Home Care, the Foundation Pro Health, the Foundation Sanomaro Esa, the Medical Mission;

(v) The Ministry of Education; and

(vi) The Pharmaceutical Supply Company of Suriname;

(b) For early detection of development problems and early stimulation, the Child Guidance Clinic, the Counselling Service for Daycare Centres of the Public Health Bureau, the Regional Health Services, the mother and child clinics, the Foundation for Early Detection and Early Stimulation;

(c) For development of a policy directed towards optimizing the care of children in the under-five age group and development of an integrated legislation in this area, the Child Guidance Clinic, the Counselling Service for Daycare Centres and mother and child clinics of the Public Health Bureau, the Directorate for Categorical Social Services of the Ministry of Social Affairs and Housing, the Foundation for the Management and Administration of Daycare Centres, the Foundation for Human Development, the Foundation Klimop, and the Stibula Foundation.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Basic legislation

118. There has been a Compulsory School Attendance Act in Suriname since 1870. The law itself does not make school attendance actually compulsory, but it does state that children between 7 and 12 years of age must be provided with the possibility to enjoy education. It also states that every child has the right to primary education, which is provided by the State free of charge. Article 37 of the Constitution lays down that young people have special protection to enjoy economic, social and cultural rights such as access to education, vocational training, physical education, sports and leisure. Article 38 of the Constitution lays down that everyone has the right to education and cultural expression. Furthermore, it is determined that the provision of education and the exercise of science and technology are free. The Constitution further lays down that the State will promote the kind of education and the circumstances under which school education and other forms of education can contribute to the development of a democratic and socially just society. Article 39 of the Constitution acknowledges and guarantees the

right of all citizens to education and offers them equal access to education. The State is obliged to eradicate illiteracy and to provide free education at all levels. Moreover, education must be attuned to the productive and social needs of the society.

B. Education, vocational training and guidance (art. 28)

119. In Suriname, the Ministry of Education is responsible for education, culture, sports and recreation. The 1992-1994 policy statement of the Ministry states that special attention and care are to be given to youth policy, so that development inside and outside school can be guaranteed. The overall policy on youth is shared by the Ministry of Education, the Youth Affairs Department of the Ministry of Justice and Police, the Ministry of Social Affairs and Housing, the Public Health Bureau and the Child Development Clinic of the Ministry of Health.

120. The 1992-1994 policy statement mentioned that education is instrumental to social, cultural and economic development by providing for optional development of human resources. In particular, self-reliance and self-awareness are to be stimulated in the younger generation and youth made aware of the importance of the continuous increase of productivity. The policy statement gave education an important place because it is considered the most important element for participating in economic, social, cultural and political life.

121. There are three levels of education in Suriname:

(a) Primary education, which includes:

(i) Pre-primary education from 4-6 years (not compulsory);

(ii) Ordinary primary education, from the age of 6 and lasting six years;

(iii) Special primary education for children with a learning disability (also lasting six years);

(iv) Junior secondary general education (following after primary and lasting four years);

(v) Secondary special education;

(vi) Pre-vocational education;

(vii) Elementary technical and junior technical education;

(viii) Junior domestic science education;

(b) Secondary education, which includes:

(i) Senior secondary general education (after junior secondary and lasting two years);

(ii) University preparatory college (after junior secondary and lasting three years);

(iii) Teacher training college (after junior secondary and lasting two-four years);

(iv) Nurses' training school;

(v) Commercial school;

(vi) Polytechnic college;

(c) Tertiary education:

(i) Institute for Advanced Teacher Training;

(ii) Institute for the Training of Teachers of Technical Schools;

(iii) Anton de Kom University of Suriname.

122. Nationally, the number of male students exceeds the number of female students. At secondary and, especially, tertiary educational levels, however, the female students are in the majority. This is ascribed chiefly to economic factors. In the indigenous and tribal communities of the interior it is quite usual that more boys than girls go to school. This is connected to factors of a cultural nature, for girls often have to help their mothers with planting and harvesting. In the communities which are situated near economically feasible activities such as logging and gold-mining, the situation is different. These industries cause the boys to leave school, as a result of which there are more girls to be found in the higher grades of primary school.

123. All levels of education are accessible to everyone who meets the entry requirements. Education is provided in State-run schools and in denominational and private schools. The latter two are supervised and inspected by the Ministry of Education and are obliged to follow the curriculum provided by the State. The denominational schools receive a small subvention from the Government for school maintenance and other costs, while the State pays the salaries of the teachers employed at these schools. The State furthermore provides schools - both State-run and denominational - with educational materials, books, school necessities, etc. Owing to insufficient financial resources and logistical problems, the supply of educational materials and equipment is often too late and is supplied in insufficient amounts. Each year the schools, and often individual teachers, have to beg parents or sympathetic enterprises to photocopy the necessary materials and books for them. The lack of textbooks and the late supply of materials sometimes cause serious delays in school programmes. Moreover, the subvention received amounts to less than Sf. 25 (less than US$ 0.10) per registered student per year, as a result of which not much can be done towards maintenance of buildings or furniture.

124. In principle, all levels of education are free of charge. This only applies to tuition, since the State-run schools have a registration fee and

the denominational schools ask an annual "parent contribution". As from 1996, the State schools increased the registration fee to Sf. 500 (a little over US$ 1) per student, while the Roman Catholic and Moravian schools have increased the amount of annual parent contribution to Sf. 3,500 and Sf. 5,000 (US$ 8-12.50) for primary and secondary school, respectively. This contribution is used to help pay for maintenance and school materials which cannot be supplied by the Ministry of Education.

125. In the past period few new classrooms were built, while maintenance and repairs of existing buildings were not carried out. In the interior, schools were seriously damaged during the war in the 1980s, causing some of them to be closed. Only in the past two years have these schools - most of which are run by the Roman Catholic and Moravian school boards - started to reopen.

126. Teachers generally work under extremely difficult conditions and the purchasing power of teachers' salaries has seriously decreased. The numerous teachers' strikes in the past years have caused serious delays in school programmes. Schools in the city suffer from burglaries when everything that can be borne off is removed, and what cannot be removed is often destroyed. In the interior, living conditions for teachers are still primitive. Moreover, teachers there are faced with the additional problem (caused by the war) of having to deal with a large number of illiterate children of varying ages. A dramatic phenomenon in Suriname is therefore the increasing number of teachers who are leaving the educational sector for better or easier employment in other sectors or abroad. In the past years there were insufficient graduates from the teacher training schools to fill vacancies. The increasing numbers of dropouts from these training schools indicate a lack of interest in the teaching profession. At present, many teachers are employed part-time, or persons who have not yet completed their studies and unqualified teachers are employed at all levels. A number of retired teachers have returned to help in this critical situation.

127. The phenomenon of dropouts is taking an alarming form, according to the schools. No official data could, however, be obtained. The chief factors which underlie this problem are:

(a) Transportation has become expensive as a result of increased prices for fuel, while the bad state of the roads - especially in the rainy seasons - often hinders school transportation organized by the Ministry of Education. The manifold strikes of bus owners and the cancellation of bus services because bills were not paid in time by the Government have had negative consequences as well. This problem is especially manifest in the rural districts, where students are sometimes forced to interrupt the learning process because their teachers are not transported from town to the schools outside the city. The public transportation service which was started in 1993 has alleviated these problems somewhat;

(b) The low income of the parents often forces them to keep their older children at home to mind younger brothers and sisters, or these older children are forced to work to increase the family's income, or the children have no shoes or clothing in the course of the year;

(c) Teenage pregnancies;

(d) A lack of classrooms in the interior;

(e) In the interior there is the problem that older children, especially girls, are kept out of school to help work in the fields, causing them to drop out of the regular school programme;

(f) Especially in the districts of Marowijne and Brokopondo schools have to compete against fast-earning activities in the logging and gold-mining industries.

128. The language of instruction is Dutch. For many children, more in particular those of the districts and in the interior, this language is hardly spoken. In many families either Sranan Tongo, the lingua franca of Suriname, or one of the many other languages is spoken. In general, teachers have not been trained to give instruction in languages other than Dutch. Especially in the first grades of primary schools some children, usually because of their difficulties with Dutch, require special attention.

129. In the 1980s new curricula for all subjects were introduced for primary school in Suriname. Most of these curricula have not been adequately evaluated by the Ministry of Education, despite complaints often heard from teachers. Most of the persons who helped to develop the curricula have since left their posts at the Ministry of Education or have emigrated, making it difficult, if not impossible, to properly evaluate and rewrite the curricula.

130. The number of repeaters at all levels is quite high. From first to fifth grades of primary school there is a 27 per cent repeater figure among boys and 24 per cent among girls. The average percentage of repeating is 25 per cent, which has grave implications for the future generation of Surinamese. Differences have been found in school results between schools which are located in areas of the more deprived parts of the population and schools in more privileged environments. A survey carried out in 1990 by the Sucet Foundation in a small number of schools on the capacities of children in more deprived environments showed that:

(a) 70 per cent of the children of more deprived environments do not complete the first three grades of primary school without repeating at least one grade, and about 50 per cent repeat two grades; in the following two grades the repeater percentage is 25 per cent;

(b) In the first grade 40 per cent repeat once and have problems in the following two grades; in the fourth and fifth grades this percentage is 15 per cent.

131. Statistics on repeaters at secondary schools were not available, although the Ministry of Education estimates that the repeater percentage is more or less 25 per cent as well. The curricula at all levels are very tight and are geared towards developing cognitive skills. They leave little room for developing other skills and do not take into account the interests of children who cannot keep up, nor are there supplementary programmes. The Sucet Foundation has developed a supplementary programme to help children who

cannot keep up with the primary school programme (grades 1-3). In the school-year 1995/96 the programme was extended on a trial basis to a small number of schools in the city.

132. Besides school transportation, book grants and allowances, the State provides subventions to children of less privileged families to purchase uniforms and school necessities. In 1991 this form of subvention was adjusted to the deteriorating economic situation to include students of secondary schools as well. Some school nutrition programmes were initiated to support children who were coming to school with an empty stomach. There were also small homework guidance projects for primary school students and a school television project to help students falling behind. These programmes were on a small scale and none of them seems to have gone beyond the initial phase.

C. Aims of education (art. 29)

133. No clear educational objectives are formulated. The priorities of the Ministry of Education, as laid down in the 1992-1994 policy statement, comprise the following points:

(a) Improvement of the quality and efficiency of education;

(b) Expansion of the accessibility and availability of secondary education;

(c) Curriculum development, directed towards:

(i) A better linking of the curricula to the needs of the students and the labour market;

(ii) Giving priority to a continuous improvement of the curricula for primary education;

(iii) Development of tests to determine education levels in the interior for the benefit of refugees who have returned from French Guyana;

(iv) Giving priority to adjusting the curricula at junior secondary education level;

(v) Bringing about a close linkage between curriculum development and the retraining or upgrading of teachers;

(vi) Establishing structures which encourage fieldworkers to develop relevant curricula;

(vii) Giving training courses for curriculum developers;

(d) Taking measures to fight the repeater and dropout problem, by taking the following measures:

(i) Increasing the motivation of teachers and students;

(ii) Making adequate provisions for educational resources;

(iii) Intensifying information in schools on vocation choices, the society, etc.;

(iv) Providing guidance for children in the subjects with which they have difficulties;

(v) Adjusting didactic methods and promoting self-reliance;

(vi) Increasing the influence of the school on the flow-through to continued education;

(vii) Reactivating the medical exam in schools with the help of the Ministry of Health;

(viii) Improving the school climate, including structured deliberations among the teachers;

(ix) Reviewing the Compulsory School Attendance Act and establishing control mechanisms for compliance with the Act;

(e) Adjustment and strengthening of institutions for teacher training at different levels;

(f) Restructuring and improvement of vocational education;

(g) Reconstruction of education in the interior.

134. Nowhere did the Ministry of Education mention how the priority goals enumerated were to be attained. It is therefore difficult to assess what was accomplished and what the constraints were in trying to achieve the goals. It is evident, however, that the priorities mentioned under (a), (b), (c), (d) and (f) were not undertaken. As far as point (e) is concerned, only one teacher training college (SPI) undertook to adjust its curriculum and work at student (i.e. future teacher) motivation, while another teacher training college (CPI), which is run jointly by the Roman Catholic and Moravian Churches, is threatened with having to close owing to financial difficulties. A beginning was made in carrying out the priority mentioned under (g), namely the repair and reopening of a number of schools in the interior, although it must be mentioned that almost all schools in the interior belong to the Roman Catholic and Moravian school boards, which have serious financial problems and are unable to maintain these schools.

D. Leisure, recreation and cultural activities (art. 31)

135. Within the Ministry of Education there are two directorates which are responsible for the development and promotion of the policy on recreation and youth. In the framework of the policy principles, the Division for Youth Centres undertook the following activities in 1995 and 1996:

(a) Training of youth workers, particularly in Paramaribo, with the purpose of increasing quality and scale;

(b) Project for student mothers with the purpose of encouraging and giving guidance to teenage mothers so that they can complete their schooling and prevent further unwanted pregnancies; this project was carried out in Paramaribo with 50 teenage mothers;

(c) After-school guidance, consisting of homework and study guidance, creative expression, education and information, sports and games, the general purpose of which is to promote the sensible use of leisure time and specifically to remove educational underachievement and give the opportunity to do homework, promote the creative capacity, physical and mental health, and the proper attitude. Owing to a lack of humanpower, this project could be carried out only in seven neighbourhoods;

(d) Vacation time: in 1995 these activities were linked to the theme of 20 years of independence. The participation of the youth was greater and more enthusiastic than in preceding years;

(e) Vacation jobs, for which 159 students registered, 50 of whom could be placed;

(f) Laying out vegetable gardens at children's homes, in cooperation with the Ministry of Agriculture and the Tamara Foundation. The reaction of the children's homes, however, was not very enthusiastic;

(g) Support for different organizations in the celebration of holidays, such as the celebration of the Abolition of Slavery, Christmas and Independence Day;

(h) Support of the neighbourhood to promote self-reliance of the people of the neighbourhood;

(i) Financial, educational and recreational support for organizations;

(j) Placement of youth workers on a permanent basis in the districts of Nickerie, Brokopondo, Marowijne and Sipaliwini.

136. In the framework of its policy principles, the subdirectorate for National Youth Affairs undertook the following activities in 1995:

(a) Installation of a national monitoring committee for the commemoration of the tenth anniversary of the International Youth Year;

(b) Installation of a youth news broadcast team for television broadcasts;

(c) Participation of Suriname in the meeting "Kids meet Kids". After the selection, two students were able to participate in the meeting which was held in New York;

(d) Participation of two youth workers in the Youth Leadership Training Summit in New York;

(e) Support for an educational weekend for the school project, which was coordinated by Stibula for the St. Louise junior secondary general school for girls.

137. As far as sports are concerned, the policy was aimed at forming Surinamese youth through physical education in school, sports and recreation. Physical education was given at most State-run schools. As far as top sports are concerned, the intention was to give attention to young Surinamese talent in training abroad, which was considered positive for the sports image of Suriname, both nationally and internationally. Suriname was thus able to participate in the 1996 Olympic Games. Owing to financial problems and a lack of foreign currency, however, many sports organizations were unable to participate in regional and other international meets.

138. In the implementation of the sports and recreational activities, there was cooperation with different umbrella sports organizations and with private organizations, including the Foundation for the Recreation of Children with Disabilities and the Special Olympics Organization.

139. As regards culture, the cultural plurality of Suriname was taken as a point of departure for the cultural policy. This policy is based on cultural democracy, which is characterized by acknowledgement of the equality of all cultures. Suriname was able to participate in the last Carifesta, the Caribbean Festival of Culture and Arts, which was held in Guyana in 1995. Furthermore, the State provides a subvention to several cultural and arts organizations.

140. In 1995 the National Commission on the Rights of the Child organized a drawing competition for primary school children on the Convention on the Rights of the Child. Unfortunately, owing to transportation problems and a time factor, only seven schools in and around Paramaribo could be included in all of the activities. The winning drawings of each participating school and the overall winning drawings were exhibited in the Fort Zeelandia Museum. While the exhibition was being held, students were invited to attend full mornings of free expression activities in the museum where an arts teacher explained how to "look" at art and they could discuss the drawings. Short sketches were also presented by a group of actors. Finally, the children were also given the opportunity to develop and act out their own sketches under the guidance of the actors. The activities were considered successful and the National Commission is discussing how to give a follow-up to them in a more structured and sustainable manner.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency (arts. 22, 38 and 39)

141. Suriname went through a domestic war in the 1980s, which was fought mainly in the interior. As a consequence, many people of the interior, mainly from the eastern area of the country along the Marowijne River, fled to neighbouring French Guyana, where they were kept in refugee camps for over two years. During this time UNHCR provided help for these refugees with the help of the French authorities. The Ministry of Education, in collaboration with

the denominational school boards which worked in the area before the war, provided classes for the children in the camps as well. After the peace accord was signed, the camps were closed and the former refugees returned to their villages in the interior.

142. Another group of refugees, mainly from the southern and south-eastern part of the interior, fled to the capital of Paramaribo, where they settled for the greater par illegally in unfinished houses of housing projects of the Ministry of Social Affairs and Housing in the immediate surroundings of the city. There were no government programmes to provide guidance for these displaced persons. The Foundation for Human Development undertook a mother and child care programme with UNICEF's assistance in one of these areas. The project focused on under-five children and their mothers. When the project ended after two years, the organization managed to continue its work for a short time but was forced to stop its work because of financial restrictions. After the peace accord was signed, some of the displaced persons did return to their original settlements, but a large number of them decided to remain where they were. They now live in dire circumstances in these peri-urban areas.

B. Children in conflict with the law (arts. 37, 39 and 40)

143. According to the Code of Criminal Procedure, no fact is punishable other than by the force of a preceding legal provision. If the legislation is amended after the time at which the offence was committed, the most favourable provisions for the person concerned will be applied. A person is considered to be a suspect if there is a reasonable suspicion of his being guilty of a criminal offence. The terms under which a suspect is detained are the same for juveniles and adults. In the youth prison, which is part of the Juvenile Affairs Department of the Ministry of Justice and Police, only male juvenile delinquents are detained. Female juvenile delinquents are detained in the women's prison at the police bureau of Geyersvlijt, with the negative consequences that may be expected.

144. Upon detention, the juvenile is informed of his/her right to legal aid. Every minor against whom a detention order is given or who is heard in a preliminary investigation must, if he/she has not yet reached the age of 18 years, be assigned an attorney at law. The judge in first instance must notify the institution which is responsible for assigning attorneys immediately of the need for such an assignment. If no attorney has been assigned or assignment has not taken place in time, the parents may appeal. If the juvenile delinquent who has not yet reached the age of 16 years on the first day of the court procedure is summoned to court and he/she does not yet have an attorney, he/she will be assigned one. If no attorney is assigned or assignment did not take place in time, the parents or guardians are entitled to appeal in accordance with article 38 of the Code of Criminal Procedure. The juvenile very often does not see his/her attorney until the first day in court and sometimes not at all. The juvenile must appear in person. In case of non-appearance of the suspect default is granted and the investigation is continued, unless the judge orders differently upon the commencement of proceedings as referred to in article 421 of the Code of Criminal Procedure. In case of a criminal offence, the court proceedings do not take place in open court, unless the co-suspects are adults.

145. The parents or guardians of the suspected juvenile are summoned to attend court. During the preliminary proceedings the parents or guardians are always summoned to be present whenever the juvenile, a witness or an expert witness is heard. The magistrate, however, can order a hearing to take place without the parents or guardians being present.

146. The Child Protection Department is responsible for social guidance of juvenile delinquents after judgement has been passed by the court. The Friends of the Youth Counselling Centre was recently founded to give support to the Juvenile Affairs Department of the Police. The foundation has meanwhile introduced a children's telephone line and is presently preparing the project Prevention of Juvenile Crime. The foundation further plans to set up a juvenile counselling centre for children who have come into contact with the law.

147. Article 9 of the Code of Criminal Law provides as main penalties capital punishment, imprisonment, detention and fining. The additional penalties are: withdrawal of certain rights, placement in a State institution, confiscation of certain objects, and publication of the court sentence. A minor may not be prosecuted for an offence committed before he/she has reached the age of 10 years. When a minor is sentenced who, at the time of the pronouncement of the final sentence in first instance, has not yet reached the age of 18 years, instead of the main penalties set for the offence concerned, a fine or reprimand can be given. In the prosecution of a minor for an offence committed before the age of 16 years, the judge can:

(a) Order that the guilty minor be returned to his parents or guardians without the application of any penalty;

(b) Punish the guilty minor with a reprimand;

(c) Punish the guilty minor with a fine or order that he/she be placed at the disposal of the Board without any penalty.

148. Only in certain cases are minors punished. If the judge has ordered that the guilty minor be placed at the disposal of the authorities:

(a) He/she is placed in a State institution so that he/she will be educated there or in another manner at a later stage, or the Board will provide for his/her education;

(b) He/she is entrusted to a particular person or legal entity (association or foundation or institution for the welfare of children) with its seat in Suriname, so that such a legal entity or particular person will provide for his/her education.

In both cases, the measure lasts until the minor has reached the age of 21 years. In practice, however, juveniles who are sentenced to be placed in State institutions are placed in a special section of the government penitentiary.

149. As far as minors who are between 16 and 18 years old are concerned, the judge can apply the above provisions or punish the guilty minor in accordance

with the provisions which apply to adults. If the judge sentences the minor to punishment, the maximum of the main penalties will be decreased by one third. If it concerns a criminal offence for which the guilty party could receive capital punishment or a life sentence, a prison term of no more than 15 years is pronounced. The additional penalties will not be administered.

150. In case of criminal prosecution of a minor for an offence or for violations of the law as referred to in articles 503, 504 and 505 of the Code of Criminal Law, the judge can, if the investigation gives occasion for such, place the guilty minor under supervision for a term not exceeding one year on the grounds described in article 372 of the Civil Code. This measure can be taken separately or jointly, but the imprisonment or detention, if unconditional, may not exceed a period of 14 days.

151. As a consequence of non-availability of teachers since 1994, the juveniles who are sentenced to imprisonment do not receive any form of education. The Child Protection Department is also responsible for the social guidance of these juveniles. By order of the Minister of Justice and Police of 24 December 1966, No. 9577, rules were established for the organization of the Department for the Care of Delinquents. The tasks of this department are the supervision of juvenile delinquents, and preparation and guidance with respect to alimony claims, provision of a guardian, withdrawal of parental rights/custody. Juveniles in prison can perform gardening, handicraft, maintenance and housekeeping activities.

152. Nothing structural is done as regards their psychological recovery and social reintegration. Nor are there special juvenile courts. Judges are assigned on a rotation basis for a certain period of time to juvenile cases, which is not an ideal situation, since they lack the necessary expertise and experience with juveniles. The State guarantees that juveniles will have honest proceedings.

153. There are no reliable statistics available on the number of delinquents or their socio-economic background. Whatever statistics are available only give the numbers of delinquents who are imprisoned.

154. At present, a new group of children is becoming manifest, namely children who are labelled "difficult" by their parents or guardians and who are increasingly becoming the target of neglect and abuse. The majority of Suriname's population consists of minors. The 1991 statistics of the General Statistics Office estimate that the number of persons between the ages of 0 and 19 years in Suriname is about 44.8 per cent of the population. A large number of Surinamese parents and guardians are no longer able to provide their children with the bare necessities of life in view of the deteriorating socio-economic situation, and are forced to involve their children in income-generating activities.

155. Street children have become commonplace in Suriname. The group of street children consists primarily of children from displaced families, orphans without a place to stay, children whose parents are drug or alcohol addicts, children whose parents are imprisoned, or children who were deserted by parents who have emigrated, especially to the Netherlands. There are no

reliable statistics available on this group of children. The Foundation for Human Development carried out a survey of street children together with the Juvenile Affairs Department of the Police in 1992. The children who were picked up from the streets were not all homeless. Most of them did have parents or guardians, but were left on their own for long periods of time because their parents (often single, working mothers) were forced to take two or more jobs to survive, and were away from home until late at night. These children then roamed the streets, becoming an easy target for violence, criminal activities and abuse.

156. In 1993 the Juvenile Affairs Department of the Police received 620 requests for assistance in Paramaribo. In 1994 there was an increase of 50 per month in comparison with the preceding year. It is self-evident that this situation is detrimental to the health and development of children in Suriname.

C. Children in situations of exploitation (arts. 32, 33, 34, 35 and 39)

157. The Labour Act (Bulletin of Acts and Decrees No. 163, as amended by Bulletin 1983, No. 91) defines labour as all work in a business, with the exception of work performed by the head or manager of the business or his spouse and blood relatives in the first degree. The Act distinguishes between youthful persons and children. "Youthful persons" are defined as minors who are between the ages of 14 and 18 years; "children" are persons who have not yet reached the age of 14 years. Article 17 of the Labour Act prohibits the performance of labour by children inside or outside any business, irrespective of whether this takes place against wages or not. Violation of this provision can be punished with imprisonment of no more than one month or a fine of no more than Sf. 1,000. In cases in which the work has an educational nature, is not too heavy and does not have any commercial purposes, the child is permitted to perform labour outside a business. Dispensation can be given by or on behalf of the Permanent Secretary of the Ministry of Labour, if this is in the interest of the child and at the request of the responsible person in the family.

158. Such dispensations are given in the following cases:

(a) The work is performed in the family in which the child is being brought up, in schools, working places, daycare centres, State institutions and such, provided that the work has an educational nature and is not aimed in the first instance at financial benefit;

(b) The work is performed in agriculture, horticulture or animal husbandry for the family in which the child is brought up, insofar as the work does not take place within factories or with equipment with a capacity exceeding two horsepower.

159. The Labour Act states that children beyond the compulsory school age (12 years) may perform labour as indicated by State decree, provided the work:

(a) Is necessary for the child to learn a vocation or should be carried out by children because of the nature of the business;

(b) Does not set high physical or mental demands; and

(c) Is not dangerous.

The State decree which is referred to, however, is non-existent.

160. In 1983 Suriname brought the Labour Act into line with ILO Convention No. 112 concerning the minimum age for employment. This adjustment took place by means of Decree E-41 (Bulletin of Acts and Decrees 1983, No. 91), in which "children" was further defined as persons who have not yet reached the age of 14 years. This caused the age for persons to enter the fisheries industry to be changed from 14 to 15 years.

161. In pursuance of the provisions of article 20 of the Labour Act, women and youthful persons are prohibited from performing night work or work which is hazardous to their health, morality or life - whether or not they receive wages for such work.

162. Increasing numbers of beggars, young "guards" of cars and young sellers of newspapers and other articles can be seen in the streets of Paramaribo. In the interior, increasing numbers of children find their way to the gold mines or become involved in prostitution and drug trafficking instead of going to school. These phenomena show that child labour has become a way of survival. According to the Ministry of Labour there is no child labour evident in the formal employment sector, but child labour in the informal sector is thought to be on the increase. The Ministry of Labour is planning to carry out a survey on child labour in the near future.

163. There is no special regulation for the protection of children against drug abuse and the illegal use of psychotropic substances and to prevent the use of children in the illegal production and trafficking of these substances. There are cases in which minors have been involved in drug-trafficking activities for adults.

164. Title XIV under the heading "Offences against Morality", and Title XVIII under the heading "Offences against Personal Freedom" in the Code of Criminal Law include provisions which aim at giving protection to children against all forms of sexual exploitation and sexual abuse. From May 1993 to May 1994, some 40 children were admitted to the Crisis Centre for Sexually Abused Children, which was run by the Foundation for Human Development. This centre was closed in 1994, and the Foundation for Human Development decided to have the counselling and guidance of young victims of (sexual) abuse take place as an ambulatory service. In the course of 1994 and 1995 basic training courses were organized to help form a network of (volunteer) counsellors for abused children. The Foundation for Children opened a Home for Abused Children in 1994, working more or less on the same lines as the above-mentioned crisis centre. The children who are presently in this home are between the ages of 6 and 16, although most of them were between 10 and 13, and are of different ethnic backgrounds.

165. The Juvenile Department of the Police initially involved itself with picking up boys who had been victims of violence, or who were neglected and who were found in the streets. The boys (a total of 50) were kept in the

cells of the Juvenile Police "for their own protection". The public prosecutions office ordered them to be set free, since there were no adequate facilities available to take care of these children and their detention in cells was considered a violation of the law. Some of the boys were taken up by structures of the Roman Catholic Church. The Tamara Foundation, a non-governmental organization, is presently in the midst of setting up a home and guidance centre for street children in cooperation with the Juvenile Department of the Police.

166. Youth prostitution is also on the rise. During a panel discussion on youth prostitution organized by the Female Junior Chamber Suriname in 1996, the head of the Juvenile Police declared that foreigners are often involved in recruiting minors for sexual exploitation purposes abroad, although no figures were presented. There have also been cases of hard pornography involving young girls. The Maxilinder Foundation, which works among prostitutes, claims that increasing numbers of minors, both boys and girls, are also involved in street prostitution. Sometimes the children are picked up in their own homes. Many parents and guardians apparently close their eyes to their children's activities of sexual exploitation for money. The numbers of children involved in prostitution are also increasing because this group is considered as "safer" to have sex with than adults (less chance of being infected with HIV).

167. Title XVIII of the Code of Criminal Law (arts. 338, 340, 341, 342 and 343) includes provisions on kidnapping, the removal of minors from persons exercising parental rights, the hiding of minors, abduction and deliberate murder. Incidents of the sale, trafficking and abduction of children have not yet been reported. What has been reported are incidental cases where minors, particularly girls travelling on their own to the western district of Nickerie, were induced by adults to cross the border to Guyana with them and were then sexually abused.

D. Children belonging to a minority or an indigenous group (art. 30)

168. The interior of Suriname is covered by dense tropical rainforest. The inhabitants of the interior are the indigenous people of Suriname, the Amerindians, and descendants of runaway slaves, the Maroons, who settled along the larger rivers. During the war in the 1980s, which was waged mainly in the interior, many of these peoples fled to neighbouring French Guyana or to the city of Paramaribo. After the peace accord was signed, many of them returned to their original villages. The interior is faced with a multitude of serious problems, which naturally have an effect on the children.

169. In the past two to three years schools have started to reopen in the interior. The problem which teachers are facing in this area is the large number of illiterate or semi-literate children, who have been unable to attend school since 1986. Special literacy programmes will therefore have to be carried out for them.

170. Health care in the interior is covered by the Medical Mission and is free of charge. It includes the provision of primary health care, including mother and child care, prenatal and post-natal programmes and vaccination programmes. Health care in the interior of Suriname used to be an example for

the region. Since the war, the entire health-care system in this area has collapsed and it is now in the process of being rebuilt. The Medical Mission was appointed by the Ministry of Health to take care of all health-related activities in the interior. At present, malaria is an increasing problem. New health hazards detected are the increase of sexually transmitted diseases (probably because of the rise of prostitution in this area) and mercury pollution of soil and water owing to the lack of proper control by the authorities of gold-mining activities.

171. The establishment of mining and timber companies has brought economic activities with which schools cannot compete. As a consequence, the number of boys not attending school in such areas is on the rise. These activities have also reopened discussions on the matter of land rights. The indigenous and tribal peoples of the interior who have lived in this area for centuries are now faced with companies - small and large, national and international - applying for mining and logging licences in precisely the areas where people live or carry on their agricultural activities. Licences are sometimes granted because the peoples of the interior do not hold any official title to the land on which they live. Another consequence of the gold-mining and logging activities - especially the illegal activities in this field - is an increase of prostitution in the interior, which apparently involves a large number of youngsters as well. Incidental cases have also been reported of the rape of young girls in the interior by illegal gold-miners. However, the lack of statistics is a constraint. The Government will have to structure the economic activities being carried out in the interior and take the appropriate measures to settle the issue of land rights in order to achieve proper development of that area.